

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

THREE PIN SKULL CLAMP WITH LOAD DISTRIBUTION INDICATORS ON THE
ROCKER ARM

the specification of which (check one below):

☒ is attached hereto.

☒ was filed on April 17, 2001 as Application Serial No. 09/836,650

☐ was filed on ___ as PCT International Application No. ___, and as amended under PCT Article 19 on ___ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed?

_____	_____	_____	() Yes () No
(Number)	(Country)	Day/Month/Year Filed	
_____	_____	_____	() Yes () No
(Number)	(Country)	Day/Month/Year Filed	
_____	_____	_____	() Yes () No
(Number)	(Country)	Day/Month/Year Filed	

I hereby claim the benefit under Title 35, United States Code, §120 and/or §119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

_____	_____	_____
(Serial No.)	(Filing Date)	(Status: Patented, Pending, or Abandoned)
_____	_____	_____
(Serial No.)	(Filing Date)	(Status: Patented, Pending, or Abandoned)
_____	_____	_____
(Serial No.)	(Filing Date)	(Status: Patented, Pending, or Abandoned)

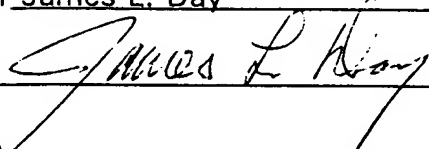
I hereby appoint John D. Poffenberger (R. No. 20,245), Bruce Tittel (R. No. 22,324), Donald F. Frei (R. No. 21,190), David J. Josephic (R. No. 22,849), A. Ralph Navaro, Jr. (R. No. 23,050), David S. Stallard (R. No. 25,930), J. Robert Chambers (R. No. 25,448), Gregory J. Lunn (R. No. 29,945), Kurt L. Grossman (R. No. 29,799), Clement H. Luken, Jr. (R. No. 32,742), Thomas J. Burger (R. No. 32,662), Gregory F. Ahrens (R. No. 32,957), Wayne L. Jacobs (R. No. 35,553), Kurt A. Summe (R. No. 36,023), Kevin G. Rooney (R. No. 36,330), Keith R. Haupt (R. No. 37,638), Theodore R. Remaklus (R. No. 38,754), Thomas W. Humphrey (R. No. 34,353), Scott A. Stinebruner (R. No. 38,323), Joseph R. Jordan (R. No. 25,686), C. Richard Eby (R. No. 25,854), David E. Pritchard (R. No. 38,273), David H. Brinkman (R. No. 40,532), J. Dwight Poffenberger, Jr. (R. No. 35,324), Beverly A. Lyman, Ph.D. (R. No. 41,961), Kristi L. Davidson (R. No. 44,643), P. Andrew Blatt, Ph.D. (R. No. 44,540), David E. Jefferies (R. No. 46,800), David E. Franklin (R. No. 39,194), all of Wood, Herron & Evans, L.L.P., 2700 Carew Tower, 441 Vine Street, Cincinnati, OH

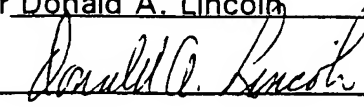
45202-2917, telephone no. (513) 241-2324, and Thomas J. Burger, Esq., care of Ohio Medical Instrument Company, Inc., 4900 Charlemar Drive, Cincinnati, Ohio 45227, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence and telephone calls to

Thomas J. Burger
Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917
Telephone (513) 241-2324

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Inventor James L. Day
Inventor's Signature  Date 31 May 2001
Residence City/State Citizenship U.S.
Post Office Address 4900 Charlemar Drive, Cincinnati, OH 45227

Full name of Inventor Donald A. Lincoln
Inventor's Signature  Date 30 MAY 2001
Residence City/State 10 Oak Point, Wrentham, MA 02098 Citizenship US
Post Office Address



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SEPTEMBER 05, 2001

PTAS



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WOOD, HERRON & EVANS, LLP
THOMAS J. BURGER
441 VINE STREET
2700 CAREW TOWER
CINCINNATI, OH 45202

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/25/2001

REEL/FRAME: 011924/0492
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

DAY, JAMES L.

DOC DATE: 06/01/2001

ASSIGNOR:

LINCOLN, DONALD A.

DOC DATE: 05/30/2001

ASSIGNEE:

OHIO MEDICAL INSTRUMENT COMPANY,
INC.
4900 CHARLEMAR DRIVE
CINCINNATI, OHIO 45227

SERIAL NUMBER: 09836650

FILING DATE: 04/17/2001

PATENT NUMBER:

ISSUE DATE:

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

06/25/2001 11:11



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Office
OMB No. 065-0011 (exp. 4/94)

To The Honorable Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies) thereof.

<p>1. Name of conveying party(ies):</p> <p>1 - James L. Day 2 - Donald A. Lincoln</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>3. Name and address of receiving party(ies):</p> <p>Name: <u>Ohio Medical Instrument Company, Inc.</u> Internal Address: _____ Street Address: <u>4900 Charlemar Drive</u> City: <u>Cincinnati</u> State: <u>OH</u> Zip Code: <u>45227</u> Country: <u>USA</u></p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>2. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>1 - June 1, 2001</u> <u>2 - May 30, 2001</u></p>	

4. Application number(s) or patent number(s): 09/836,650

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No(s). _____ B. Patent No(s). _____

Additional numbers attached? ☐ Yes ☒ No

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Thomas J. Burger</u> Internal Address: <u>Wood, Herron & Evans, L.L.P.</u> <u>2700 Carew Tower</u> Street Address: <u>441 Vine Street</u> City: <u>Cincinnati</u> State: <u>Ohio</u> Zip: <u>45202</u></p>	<p>6. Total number of applications and patents involved: 1</p> <p>7. Total fee (37 CFR 33.41): <u>\$40.00</u> <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account if deficiencies occur</p> <p>8. Deposit Account number: <u>23-3000</u> (Attach duplicate copy of this page if paying by deposit account)</p>
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9. Statement and Signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas J. Burger
Name of Person Signing

Thomas J. Burger June 19, 2001
Signature Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents and Trademarks, Box Assignments
Washington, D.C. 20231

ASSIGNMENT OF INVENTION AND
PATENTS THEREON

WHEREAS, We, James L. Day of 4900 Charlemar Drive, in the State of Cincinnati, OH 45227 and Donald A. Lincoln of 10 Oak Point in the State of Wrentham, MA 02098 have invented a new and improved THREE PIN SKULL CLAMP WITH LOAD DISTRIBUTION INDICATORS ON THE ROCKER ARM as fully disclosed in an application for Patent and filed by us on April 12, 2001, Serial No. _____, preparatory to obtaining Letters Patent of the United States therefor; and whereas, Ohio Medical Instruments Company, Inc., a corporation organized under the Laws of the State of Ohio, and having its principal office at 4900 Charlemar Drive desires to acquire the entire interest in and to the subject-matter disclosed in said application and in and to all patents issued or to be issued thereon.

NOW, THEREFORE, to all whom it may concern, be it known that, for and in consideration of the sum of One Dollar to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the said Ohio Medical Instrument Company, Inc. our entire right, title and interest in and to the subject-matter disclosed in said application and in and to all Letters Patent Domestic and Foreign issued or to be obtained thereon, including all rights and interests with priority rights under the Paris Convention for the Protection of Industrial Property, the International Patent Cooperative Union, European Patent Convention, Common Market Convention, or any other Convention or Union for each country of said Convention or Union; and we do hereby authorize and request the Commissioner of Patents to issue the Letters Patent granted on said application and all future patents granted upon the subject-matter disclosed therein to the above named Assignee, its legal representatives and assigns.

Witness my hand this 1st day of June, 2001.

James L. Day
James L. Day

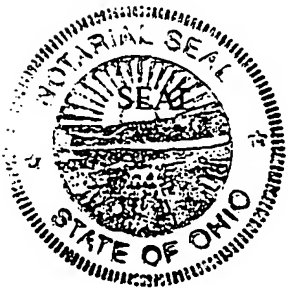
James L. Day Inventor.

STATE OF Ohio)
COUNTY OF HAMILTON) ss.

On this 1 day of June, 2001, before me personally appeared James L. Day, to me known and known to me to be the above named individual who duly acknowledged the signing of the foregoing instrument to be a voluntary act and deed and who executed the same for the uses and purposes therein specified.

Charles A. Gowen
Notary Public

CHARLES A. GOWEN
Notary Public, State of Ohio
My Commission Expires Dec. 22, 2001



Witness my hand this 30TH day of MAY, 2001.

Donald A. Lincoln Inventor.
Donald A. Lincoln

STATE OF Massachusetts)
) ss.
COUNTY OF Norfolk)

On this 30th day of May, 2001, before me personally appeared Donald A. Lincoln, to me known and known to me to be the above named individual who duly acknowledged the signing of the foregoing instrument to be a voluntary act and deed and who executed the same for the uses and purposes therein specified.



Christine A. Lepin
Notary Public
My Commission Expires March 29, 2002